

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DONNA DEPNER,

Plaintiff,

v.

Case No. 20-cv-401-pp

ANDREW SAUL,

Defendant.

**ORDER REQUIRING PLAINTIFF TO FILE AMENDED MOTION FOR LEAVE
TO PROCEED WITHOUT PREPAYING THE FILING FEE**

The plaintiff has filed a complaint seeking judicial review of a final administrative decision denying her claim for disability insurance benefits under the Social Security Act. Dkt. No. 1. She also filed a motion for leave to proceed without prepaying the filing fee. Dkt. No. 3.

To allow the plaintiff to proceed without paying the filing fee, the court first must decide whether the plaintiff can pay the fee; if not, it must determine whether the lawsuit is frivolous. 28 U.S.C. §§1915(a) and 1915(e)(2)(B)(i).

The plaintiff's request to proceed without prepaying the filing fee does not provide enough facts for the court to determine whether she can pay the fee. Some of the plaintiff's writing on the scanned image of the request is so light that it is effectively unreadable, particularly at the bottom of the first page. In addition, the plaintiff seems to indicate that she has some income, but the court can't read the amount and can't tell whether the plaintiff listed the source of the income. Dkt. No. 2 at 2. It looks like the plaintiff checked the box indicating that she pays rent, but it does not appear that she wrote the amount

of the rent. Id. In addition, there appear to be no other expenses listed, id. at 2-3, how is the plaintiff paying for food, utilities, and other basic necessities? The plaintiff indicates that she owns a GMC Jimmy, but there does not seem to be a current value listed for that vehicle. Id. at 3. The court will ask the plaintiff to file an amended request to proceed without prepaying the filing fee. The amended request should clearly indicate the amount and source of the plaintiff's income, the amount of rent paid by the plaintiff, any other monthly expenses the plaintiff pays (if she doesn't pay any other expenses, she should tell the court who does pay them), the approximate value of the plaintiff's vehicle, and any other information the plaintiff feels the court should have in order to make its determination about whether she can proceed without prepaying the filing fee. The plaintiff is represented by counsel, who should assist her in filling out the amended request

The court **ORDERS** that the plaintiff must file an amended request to proceed without prepaying the filing fee by the end of the day on **April 8, 2020**. If the plaintiff does not provide a new request in time for the court to receive it by the deadline, the court will deny her application to proceed without prepaying the filing fee and will require her to pay the full \$400 filing fee by a date certain.

Dated in Milwaukee, Wisconsin this 18th day of March, 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
United States District Judge